

PTO/SB/30 (09-04)

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Request for Continued Examination (RCE) Transmittal

Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	10/632,581
Filing Date	July 31, 2003
First Named Inventor	Anne Marie Rodriguez
Art Unit	1632
Examiner Name	J. Hama, Ph.D.
Attorney Docket Number	0857/70669/JPW/LAD

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____

ii. ☐ Other _____

b. ☒ Enclosed

i. ☒ Amendment/Reply

iii. ☐ Information Disclosure Statement (IDS)

ii. ☐ Affidavit(s)/ Declaration(s)

iv. ☒ Other **Petition For Three-Month Extension of Time**

2. Miscellaneous

a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

b. ☐ Other _____

3. Fees

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

The Director is hereby authorized to charge the following fees, or credit any overpayments, to

a. ☐ Deposit Account No. _____ I have enclosed a duplicate copy of this sheet.

i. ☐ RCE fee required under 37 CFR 1.17(e)

ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)

iii. ☐ Other _____

b. ☒ Check in the amount of \$ **1,920.00** enclosed (**\$810.00 RCE Fee and \$1,110.00 Three-Month Extension of Time Fee**)

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Signature	<i>John P. White</i>	Date	July 2, 2009
Name (Print/Type)	John P. White	Registration No.	28,678

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below

Signature	<i>John P. White</i>	Date	July 2, 2009
Name (Print/Type)	John P. White	Date	July 2, 2009

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

07/07/2009 SDENB0B3 02000097 10632581

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Docket No. 0857/70669/JPW/LAD

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Anne Marie Rodriguez et al.

Serial No. : 10/632,581 Examiner: J. Hama, Ph.D.

Filed : July 31, 2003 Group Art Unit: 1632

For : STEM CELLS ORIGINATING FROM ADIPOSE TISSUE AND DIFFERENTIATED
CELLS DERIVED FROM THESE STEM CELLS

Mail Stop RCE
COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

Date: July 2, 2009

Sir:

Transmitted herewith is an amendment to the above-identified application.

_____ Small entity status of this application under 37
C.F.R. \$1.9 and \$1.27 has been previously
established.

_____ A verified statement to establish small entity
status under 37 C.F.R. \$1.9 and \$1.27 is
enclosed.

_____ No additional fee is required.

The filing fee is calculated as follows:

	Number after Amend- ment	Highest Number Previously Paid For ¹	Number of Extra Claims Presented	RATE			FEE	
				Small Entity	Other Entity		Small Entity	Other Entity
Total Claims	25 -	* 59 =	*** 0 X	\$26	\$52	=		0
Indepen- -dent Claims	3 -	** 4 =	*** 0 X	\$110	\$220	=		0
Multiple Dependent Claim(s) Presented For First Time Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>				\$195	\$390	=		0
				TOTAL ADDITIONAL FEE			\$	0.00

¹ The "HIGHEST NUMBER PREVIOUSLY PAID FOR" (Total or Independent) is the highest of the "NUMBER AFTER AMENDMENT" in any prior amendment or the number of claims originally filed.

* If the "HIGHEST NUMBER PREVIOUSLY PAID FOR" is less than 20, write "20" in this space.

** If the "HIGHEST NUMBER PREVIOUSLY PAID FOR" is less than 3, write "3" in this space.

*** If the difference between the "NUMBER AFTER AMENDMENT" and the "HIGHEST NUMBER PREVIOUSLY PAID FOR" is less than "0", write "0".

Applicant(s): Ann Marie Rodriguez et al.

Serial No. : 10/632,581

Filed : July 31, 2003

Amendment Transmittal Letter

Page 2

The following are also enclosed:

 One additional copy of this Amendment Transmittal Letter

 X Return Receipt Postcard

 An Information Disclosure Statement, including Form PTO-1449

(Copies of citations included: Yes No

and a fee of \$ included)

 X A Petition for an Extension of Time, including a fee of
\$ 1,110.00 for a Petition for 3 Month(s) Extension of Time

 X Other (identify): RCE Transmittal, including \$810.00 RCE Fee

THE TOTAL FEE DUE IS \$ 1,920.00 .

 X A check in the amount of \$ 1,920.00 is enclosed.

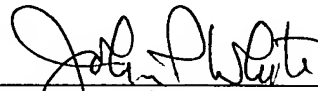
 Please charge Deposit Account No. in the amount of
\$.

 X The Commissioner is hereby authorized to charge any additional fees
required or credit any overpayment to Deposit Account No. 03-3125
as follows:

 X Fees under 37 C.F.R. §1.16 for the presentation of extra claims

 X Patent application processing fees under 37 C.F.R. §1.17

Respectfully submitted,



John P. White
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I hereby certify that this
correspondence is being deposited this
date with the U.S. Postal Service with
sufficient postage as first class mail
in an envelope addressed to:
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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450.

John P. White 7/2/09
Reg. No. 28,678

Date